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NOTICE OF ALLOWANCE AND FEE(S) DUE

83402

7590

06/26/2009

Straub & Pokotylo
788 Shrewsbury Avenue
Tinton Falls, NJ 07724

EXAMINER

L.E. DEBBIE M

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 06/26/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,736	06/30/2003	Georges R. Harik	GOOGLE-47	6223
TITLE OF INVENTION: SERVING ADVERTISEMENTS USING A SEARCH OF ADVERTISER WEB INFORMATION (GP-108-00-US)				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/28/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

82402 7590 06/26/2009
Straub & Pokotylo
788 Shrewsbury Avenue
Tinton Falls, NJ 07724

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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TITLE OF INVENTION: SERVING ADVERTISEMENTS USING A SEARCH OF ADVERTISER WEB INFORMATION (GP-108-00-US)				

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/28/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, DEBBIE M	2168	707-003000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,736	06/30/2003	Georges R. Harik	GOOGLE-47 (GP-108-00-US)	6223
82402	7590	06/26/2009	EXAMINER	
			LE, DEBBIE M	
			ART UNIT	PAPER NUMBER

Straub & Pokotylo
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Tinton Falls, NJ 07724

2168
DATE MAILED: 06/26/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 40 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 40 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/614,736

Applicant(s)

HARIK, GEORGES R.

Examiner

DEBBIE M. LE

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/13/09.
2. ☒ The allowed claim(s) is/are 2-12 and 23-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 5/13/09
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 13, 2009 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 5/13/09 have been considered by the examiner. See attached PTO-forms 1449.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Len Linardakis on April 22, 2009.

This listing of claims replace all prior versions, and listing, of claims in the application:

Claim 1 (canceled)

Claim 2 (currently amended): The computer-implemented method of claim 10 wherein the searchable data structure is an inverted index.

Claim 3 (currently amended): The computer-implemented method of claim 2 wherein the inverted index includes entries, each entry including a term and one or more Web page identifiers.

Claim 4 (currently amended): The computer-implemented method of claim 2 wherein the inverted index includes entries, each entry including a term and one or more pairs, each pair including a Web page identifier and a term count.

Claim 5 (currently amended): The computer-implemented method of claim 2 wherein the inverted index includes entries, each entry including a term extracted from advertiser Web pages and one or more Web page identifiers that identify advertiser Web pages in which the term appears.

Claim 6 (currently amended): A computer-implemented method comprising:

- a) accepting, with a computer system including at least one computer on a network, a search query;
 - b) searching, with the computer system, using information from the search query, a searchable data structure including advertiser Web page information to generate advertisement search results;
 - c) accepting, with the computer system, the advertisement search results; and
 - d) retrieving, with the computer system, automatically, independent of end user acts, and responsive to the search query, at least one advertisement using at least a portion of the accepted advertisement search results,
- wherein the at least one advertisement is retrieved from a set of advertiser information, the set of advertiser information including information identifying advertiser Web pages, and
- wherein the searchable data structure includes ~~[[including]]~~ advertiser Web page information that is generated from information automatically extracted exclusively from the identified advertiser Web pages without the need for expressly entered advertiser entered targeting information.

Claim 7 (currently amended): The computer-implemented method of claim 10 wherein each of the advertisement search results have a score.

Claim 8 (currently amended): The computer-implemented method of claim 7 further comprising:

- e) scoring, with the computer system, using at least the advertisement search result scores, at least some of the retrieved at least one advertisement.

Claim 9 (currently amended): The computer-implemented method of claim 7 further comprising:

- e) scoring, with the computer system, using at least the advertisement search result scores and further using at least one of (1) ad performance information, (2) ad price information (3) advertiser quality information, and (4) user information, at least some of the retrieved at least one advertisement.

Claim 10 (currently amended): A computer-implemented method comprising:

- a) accepting, with a computer system including at least one computer on a network, a search query;
- b) searching, with the computer system, using information from the search query, a searchable data structure including advertiser Web page information to generate advertisement search results;
- c) accepting, with the computer system, the advertisement search results; and

d) retrieving, with the computer system, automatically, independent of end user acts, and responsive to the search query, at least one advertisement using at least a portion of the accepted advertisement search results,

wherein the searchable data structure includes entries, each entry including a term automatically and exclusively extracted from the advertiser Web page information and one or more Web page identifiers, and

wherein the act of retrieving at least one advertisement using at least a portion of the accepted advertisement search results uses Web page identifiers included in the advertisement search results to lookup an advertisement having a landing page corresponding to at least one of the Web page identifiers.

Claim 11 (currently amended): The computer-implemented method of claim 10 wherein the Web page identifiers are used as lookup keys to a database of advertisement information.

Claim 12 (currently amended): The computer-implemented method of claim 10 wherein the at least one advertisement is not one of the accepted search results.

Claims 13-22 (canceled)

Claim 23 (currently amended): A search engine system including at least one computer on a network, the search engine system comprising:

a) a storage facility storing:

1. ~~[[a]]~~) a first index including information derived from Web pages of the World Wide Web; and

2. ~~[[b]]~~) a second index including information automatically derived exclusively from Web pages of advertisers without the need for expressly entered advertiser entered targeting information; and

b) ~~[[e]]~~) a query processor programmed to accept (1) a search query, (2) obtain search results to the search query using the first index, (3) obtain advertisements, automatically, independent of end user acts, and responsive to the search query, using the second index, and (4) output the obtained search results and the obtained advertisements.

Claim 24 (currently amended): Apparatus comprising:

a) at least one processor;

b) at least one input device; and

c) ~~[[a]]~~) a storage facility ~~[[including]]~~ storing:

1) advertisement information including ads; ~~[[, and]]~~

2) a searchable data structure including advertiser Web page information generated from information automatically and exclusively extracted from the identified advertiser Web pages without the need for expressly entered advertiser entered targeting information; and

3) processor-executable instructions which, when executed by the at least one processor, perform a method including

i) ~~[(b) means for]~~ generating search results using, at least, the searchable data structure~~[(i)]~~, and

ii) ~~[(e) means for]~~ providing one or more ads from the advertisement information, automatically, independent of end user acts, and responsive to the search query, using, at least, the generated search results.

Claim 25 (original): The apparatus of claim 24 wherein the advertisement information includes records, each record including an ad and an advertiser Web page identifier.

Claim 26 (original): The apparatus of claim 25 wherein the advertiser Website information included in the searchable data structure is derived from the advertiser Web page identifiers included in records of the advertisement information.

Claim 27 (currently amended): The apparatus of claim 24 wherein ~~[[the means for]]~~ providing one or more ads from the advertisement information includes

- 1) ~~[[means for]]~~ determining at least one Web page identifier from the search results, and
- 2) ~~[[means for]]~~ looking up the one or more ads from the advertisement information using the determined at least one Web page indicator.

Claim 28 (currently amended): Apparatus comprising:

- a) at least one processor;
- b) ~~[[a]]~~ an input for accepting a search query; and
- c) one or more storage devices storing processor-executable instructions which, when executed by one or more processors, perform a method including
 - 1) ~~[[b—means for]]~~ searching, using information from the search query, a searchable data structure including advertiser Web page information to generate search results~~[[i]]~~, and
 - 2) ~~[[c—means for]]~~ retrieving, automatically, independent of end user acts, and responsive to the search query, at least one advertisement using at least a portion of the accepted search results,

wherein the at least one advertisement is retrieved from a set of advertiser information, the set of advertiser information including information identifying advertiser Web pages, and

wherein the searchable data structure includes ~~[[including]]~~ advertiser Web page information that is generated from information automatically extracted exclusively from the identified advertiser Web pages without the need for expressly entered advertiser entered targeting information.

Claim 29 (original): The apparatus of claim 28 wherein the searchable data structure is an inverted index.

Claim 30 (original): The apparatus of claim 29 wherein the inverted index includes entries, each entry including a term and one or more Web page identifiers.

Claim 31 (original): The apparatus of claim 29 wherein the inverted index includes entries, each entry including a term and one or more pairs, each pair including a Web page identifier and a term count.

Claim 32 (previously presented): The apparatus of claim 29 wherein the inverted index includes entries, each entry including a term extracted from advertiser Web pages and one or more Web page identifiers that identify advertiser Web pages in which the term appears.

Claim 33 (original): The apparatus of claim 28 wherein the at least one advertisement is retrieved from a set of advertiser information, the set of advertiser information including information identifying advertiser Web pages, and

wherein the searchable data structure including advertiser Web page information includes information extracted exclusively from the identified advertiser Web pages.

Claim 34 (original): The apparatus of claim 28 wherein each of the search results have a score.

Claim 35 (currently amended): The apparatus of claim 34 wherein the method further ~~[[comprising:]]~~ includes

3) ~~[[d) means for]]~~ scoring, using at least the search result scores, at least some of the retrieved at least one advertisement.

Claim 36 (currently amended): The apparatus of claim 34 wherein the method further ~~[[comprising:]]~~ includes

3) ~~[[d) means for]]~~ scoring, using at least the search result scores and further using at least one of (i ~~[[4]]~~) ad performance information, (ii ~~[[2]]~~) ad price information (iii ~~[[3]]~~) advertiser quality information, and (iv ~~[[4]]~~) user information, at least some of the retrieved at least one advertisement.

Claim 37 (currently amended): The apparatus of claim 28 wherein the searchable data structure includes entries, each entry including a term and one or more Web page identifiers, and

wherein ~~[[the means for]]~~ retrieving at least one advertisement using at least a portion of the accepted search results uses Web page identifiers included in the search results.

Claim 38 (original): The apparatus of claim 37 wherein the Web page identifiers are used as lookup keys to a database of advertisement information.

Claim 39 (original): The apparatus of claim 28 wherein the at least one advertisement is not one of the accepted search results.

Claim 40 (currently amended): The apparatus of claim 28 wherein ~~[[the means for]]~~ retrieving at least one advertisement does not consider expressly entered targeting information.

Claim 41 (currently amended): The apparatus of claims 28 wherein ~~[[the means for]]~~ retrieving at least one advertisement does not consider keyword targeting information.

Claim 42 (currently amended): The apparatus of claim 28 wherein the method further ~~[[comprising:]]~~ includes

3) ~~[[d—means for]]~~ generating a document including (i ~~[[4]]~~) search results determined using the search query and a second searchable data structure, and (ii ~~[[2]]~~) the at least one advertisement.

Claim 43 (original): The apparatus of claim 42 wherein a format of each of the search results is different from a format of each of the at least one advertisement.

Claims 44-49 (canceled)

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Arguments present on the appeal brief filed on January 29, 2009 and further submission IDS filed on 5/13/09 have been fully considered and found persuasive; therefore, claims 2-12, 23-43 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M. LE whose telephone number is (571)272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DEBBIE M LE/
Primary Examiner, Art Unit 2168
June 18, 2009